

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

AMY JO ANGSTROM,	)	
	)	No. CV-11-0416-CI
Plaintiff,	)	
	)	
v.	)	ORDER GRANTING STIPULATED
	)	MOTION TO REMAND PURSUANT TO
CAROLYN W. COLVIN, Acting,	)	SENTENCE FOUR OF 42 U.S.C.
Commissioner of Social	)	§ 405(g)
Security, <sup>1</sup>	)	
	)	
Defendant.	)	

BEFORE THE COURT is the parties' stipulated Motion to Remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. 405(g). ECF No. 19. Attorney Maureen Rosette represents Plaintiff; Special Assistant United States Attorney Summer Stinson represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 8. After considering the file, and proposed order,

**IT IS ORDERED:**

1. The parties Motion to Remand, **ECF No. 19**, is **GRANTED**. The

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<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is substituted for Michael J. Astrue as the defendant in this suit. No further action need be taken to continue this suit. 42 U.S.C. § 405(g).

1 above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of  
2 Social Security for further administrative proceedings, including a  
3 new hearing, pursuant to sentence four of 42 U.S.C. § 405(g). On  
4 remand, the administrative law judge (ALJ) will conduct a *de novo*  
5 hearing and offer Plaintiff the opportunity to appear at the new  
6 administrative hearing. Plaintiff may testify, submit additional  
7 evidence, and make new arguments at the hearing.

8 The ALJ shall make a new, full sequential disability  
9 evaluation, including re-evaluating Plaintiff's impairments. The  
10 ALJ shall evaluate the records and opinions of Antoine G. Tohmeh,  
11 M.D., one of Plaintiff's treating doctors and shall contact Dr.  
12 Tohmeh to clarify his opinion. Any other new medical evidence, if  
13 available, shall be entered into the record and considered on  
14 remand. If the ALJ rejects any of the medical opinions, the ALJ  
15 shall provide legally sufficient explanation of the reasons. The  
16 ALJ shall assess whether the claimant meets a listing. The ALJ  
17 shall re-evaluate the other medical evidence, Plaintiff's  
18 impairments, Plaintiff's credibility, Plaintiff's residual  
19 functional capacity, and Plaintiff's ability to perform work at  
20 steps four and five. If necessary, the ALJ shall obtain vocational  
21 expert testimony to help determine Plaintiff's ability to perform  
22 work at steps four and five. The ALJ shall issue a new decision.

23 2. Judgment shall be entered for the **PLAINTIFF**.

24 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, and  
25 is stricken as moot.

26 4. An application for attorney fees may be filed by separate  
27 motion.

28 The District Court Executive is directed to enter this Order,  
ORDER GRANTING STIPULATED MOTION TO REMAND - 2

1 forward copies to counsel, and thereafter shall close this file.

2 DATED April 9, 2013.

3  
4 S/ CYNTHIA IMBROGNO  
5 UNITED STATES MAGISTRATE JUDGE  
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